

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

MARY ANN WILLIAMS,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	NO. 5:22-CV-242 (CAR)
	:	
COMMISSIONER TIMOTHY C.	:	
WARD, <i>et al.</i> ,	:	
	:	
Defendant.	:	
_____	:	

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED COMPLAINT AND  
DENYING WITHOUT PREJUDICE DEFENDANTS' MOTION TO DISMISS**

Plaintiff filed this § 1983 case asserting claims against Commissioner Timothy Ward, Warden Walter Berry, Eric Martin., Laurence Easley, ABC Corporations 1–3, and John Does 1–6. Defendants filed a Motion to Dismiss Plaintiff’s Complaint, and the Court stayed discovery pending a ruling on the Motion. On January 19, 2024, the Court lifted the stay of discovery to allow Plaintiff to identify the John Doe defendants through certain interrogatories and requests for production of documents as listed in the Court’s Order [Doc. 35]. The Court has extended the deadlines for Defendants to respond to Plaintiff’s requests until April 1, 2024, and for Plaintiff to review such responses until May 1, 2024.

The Court **HEREBY ORDERS** Plaintiff to file an Amended Complaint upon the close of this limited discovery. “An amended complaint supersedes and replaces the

original complaint,”<sup>1</sup> so upon Plaintiff’s filing of the Amended Complaint, Defendants’ Motion to Dismiss Plaintiff’s original Complaint will be moot. Therefore, the Court **DISMISSES** Defendants’ Motion to Dismiss [Doc. 26] **without prejudice to** Defendants’ right to move to dismiss again after Plaintiff files her Amended Complaint. Plaintiff must file her Amended Complaint by May 1, 2024.

**SO ORDERED**, this 22nd day of March, 2024.

s/ C. Ashley Royal  
C. ASHLEY ROYAL, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> *Reynolds v. Behrman Capital IV L.P.*, 988 F.3d 1314, 1319 (11th Cir. 2021).